



Local Government Committee

**Filed: 5/21/2008**

09500SB2071ham001

LRB095 17117 NHT 51314 a

1 AMENDMENT TO SENATE BILL 2071

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2071 as follows:

3 on page 5, line 12, after the period, by inserting the  
4 following:

5 "Notwithstanding any other rulemaking authority that may  
6 exist, neither the Governor nor any agency or agency head under  
7 the jurisdiction of the Governor has any authority to make or  
8 promulgate rules to implement or enforce the provisions of this  
9 amendatory Act of the 95th General Assembly. If, however, the  
10 Governor believes that rules are necessary to implement or  
11 enforce the provisions of this amendatory Act of the 95th  
12 General Assembly, the Governor may suggest rules to the General  
13 Assembly by filing them with the Clerk of the House and the  
14 Secretary of the Senate and by requesting that the General  
15 Assembly authorize such rulemaking by law, enact those  
16 suggested rules into law, or take any other appropriate action  
17 in the General Assembly's discretion. Nothing contained in this

1 amendatory Act of the 95th General Assembly shall be  
2 interpreted to grant rulemaking authority under any other  
3 Illinois statute where such authority is not otherwise  
4 explicitly given. For the purposes of this amendatory Act of  
5 the 95th General Assembly, "rules" is given the meaning  
6 contained in Section 1-70 of the Illinois Administrative  
7 Procedure Act, and "agency" and "agency head" are given the  
8 meanings contained in Sections 1-20 and 1-25 of the Illinois  
9 Administrative Procedure Act to the extent that such  
10 definitions apply to agencies or agency heads under the  
11 jurisdiction of the Governor."; and

12 on page 25, immediately below line 11, by inserting the  
13 following:

14 "Notwithstanding any other rulemaking authority that may  
15 exist, neither the Governor nor any agency or agency head under  
16 the jurisdiction of the Governor has any authority to make or  
17 promulgate rules to implement or enforce the provisions of this  
18 amendatory Act of the 95th General Assembly. If, however, the  
19 Governor believes that rules are necessary to implement or  
20 enforce the provisions of this amendatory Act of the 95th  
21 General Assembly, the Governor may suggest rules to the General  
22 Assembly by filing them with the Clerk of the House and the  
23 Secretary of the Senate and by requesting that the General  
24 Assembly authorize such rulemaking by law, enact those  
25 suggested rules into law, or take any other appropriate action

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2 amendatory Act of the 95th General Assembly shall be  
3 interpreted to grant rulemaking authority under any other  
4 Illinois statute where such authority is not otherwise  
5 explicitly given. For the purposes of this amendatory Act of  
6 the 95th General Assembly, "rules" is given the meaning  
7 contained in Section 1-70 of the Illinois Administrative  
8 Procedure Act, and "agency" and "agency head" are given the  
9 meanings contained in Sections 1-20 and 1-25 of the Illinois  
10 Administrative Procedure Act to the extent that such  
11 definitions apply to agencies or agency heads under the  
12 jurisdiction of the Governor."; and

13 on page 36, immediately below line 13, by inserting the  
14 following:

15 "Notwithstanding any other rulemaking authority that may  
16 exist, neither the Governor nor any agency or agency head under  
17 the jurisdiction of the Governor has any authority to make or  
18 promulgate rules to implement or enforce the provisions of this  
19 amendatory Act of the 95th General Assembly. If, however, the  
20 Governor believes that rules are necessary to implement or  
21 enforce the provisions of this amendatory Act of the 95th  
22 General Assembly, the Governor may suggest rules to the General  
23 Assembly by filing them with the Clerk of the House and the  
24 Secretary of the Senate and by requesting that the General  
25 Assembly authorize such rulemaking by law, enact those

1 suggested rules into law, or take any other appropriate action  
2 in the General Assembly's discretion. Nothing contained in this  
3 amendatory Act of the 95th General Assembly shall be  
4 interpreted to grant rulemaking authority under any other  
5 Illinois statute where such authority is not otherwise  
6 explicitly given. For the purposes of this amendatory Act of  
7 the 95th General Assembly, "rules" is given the meaning  
8 contained in Section 1-70 of the Illinois Administrative  
9 Procedure Act, and "agency" and "agency head" are given the  
10 meanings contained in Sections 1-20 and 1-25 of the Illinois  
11 Administrative Procedure Act to the extent that such  
12 definitions apply to agencies or agency heads under the  
13 jurisdiction of the Governor."; and

14 on page 37, line 16, after the period, by inserting the  
15 following:

16 "Notwithstanding any other rulemaking authority that may  
17 exist, neither the Governor nor any agency or agency head under  
18 the jurisdiction of the Governor has any authority to make or  
19 promulgate rules to implement or enforce the provisions of this  
20 amendatory Act of the 95th General Assembly. If, however, the  
21 Governor believes that rules are necessary to implement or  
22 enforce the provisions of this amendatory Act of the 95th  
23 General Assembly, the Governor may suggest rules to the General  
24 Assembly by filing them with the Clerk of the House and the  
25 Secretary of the Senate and by requesting that the General

1 Assembly authorize such rulemaking by law, enact those  
2 suggested rules into law, or take any other appropriate action  
3 in the General Assembly's discretion. Nothing contained in this  
4 amendatory Act of the 95th General Assembly shall be  
5 interpreted to grant rulemaking authority under any other  
6 Illinois statute where such authority is not otherwise  
7 explicitly given. For the purposes of this amendatory Act of  
8 the 95th General Assembly, "rules" is given the meaning  
9 contained in Section 1-70 of the Illinois Administrative  
10 Procedure Act, and "agency" and "agency head" are given the  
11 meanings contained in Sections 1-20 and 1-25 of the Illinois  
12 Administrative Procedure Act to the extent that such  
13 definitions apply to agencies or agency heads under the  
14 jurisdiction of the Governor."